



# *COMMONWEALTH of VIRGINIA*

## *DEPARTMENT OF ENVIRONMENTAL QUALITY*

### PIEDMONT REGIONAL OFFICE

4949-A Cox Road, Glen Allen, Virginia 23060

(804) 527-5020 Fax (804) 527-5106

[www.deq.virginia.gov](http://www.deq.virginia.gov)

Molly Joseph Ward  
Secretary of Natural Resources

David K. Paylor  
Director

Jeffery A. Steers  
Regional Director

December 14, 2017

Mr. Brad Burmaster  
Senior Vice President  
Industrial Wholesale Power, LLC  
2250 Dabney Road  
Richmond, Virginia 23230

Location: Dinwiddie County

Registration No: 51083

Dear Mr. Burmaster:

Attached is a renewal Title V permit to operate your facility pursuant to 9 VAC 5 Chapter 80 of the Virginia Regulations for the Control and Abatement of Air Pollution.

This permit contains legally enforceable conditions. Failure to comply may result in a Notice of Violation and civil penalty. Please read all conditions carefully.

This approval to operate does not relieve Industrial Wholesale Power, LLC of the responsibility to comply with all other local, state, and federal permit regulations.

Issuance of this permit is a case decision. The Regulations, at 9VAC5-170-200, provide that you may request a formal hearing from this case decision by filing a petition with the Board within 30 days after this permit is mailed or delivered to you. Please consult that and other relevant provisions for additional requirements for such requests.

Additionally, as provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you actually received this permit or the date on which it was mailed to you, whichever occurred first, within which to initiate an appeal to court by filing a Notice of Appeal with:

Mr. David K. Paylor, Director  
Department of Environmental Quality  
P. O. Box 1105  
Richmond, VA 23218

In the event that you receive this permit by mail, three days are added to the period in which to file an appeal. Please refer to Part Two A of the Rules of the Supreme Court of Virginia for additional information including filing dates and the required content of the Notice of Appeal.

If you have any questions concerning this permit, please contact the regional office at (804) 527-5020.

Sincerely,



Kyle Ivar Winter, P.E.  
Deputy Regional Director

JEK/JH/51083 12 TVR permit  
Attachment: Permit

cc: Director, OAPP (electronic file submission)  
Manager, Data Analysis (electronic file submission)  
Director, Office of Permits and Air Toxics (3AP10), U.S. EPA, Region III (electronic file submission)  
Manager/Inspector, Air Compliance



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### Federal Operating Permit Article 1

This permit is based upon the requirements of Title V of the Federal Clean Air Act and Chapter 80, Article 1 of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9 VAC 5-80-50 through 9 VAC 5-80-300 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name:	Ingenco Wholesale Power, LLC
Facility Name:	Ingenco Dinwiddie Plant
Facility Location:	25505 Weakly Road Petersburg, VA
Registration No.:	51083
Permit No.:	PRO51083

This permit includes the following programs:

#### **Federally Enforceable Requirements - Clean Air Act (Pages 5 through 27)**

October 10, 2017

Effective Date

December 14, 2017

Amendment Date

October 9, 2022

Expiration Date

Deputy Regional Director

December 14, 2017

Signature Date

Table of Contents, Page 2

Permit Conditions, Pages 5-27

**Table of Contents**

<b>FACILITY INFORMATION.....</b>	<b>3</b>
<b>EMISSION UNITS.....</b>	<b>4</b>
<b>FUEL BURNING EQUIPMENT REQUIREMENTS – (EMISSION UNITS E1-E34) .....</b>	<b>5</b>
<b>FACILITY WIDE CONDITIONS.....</b>	<b>17</b>
<b>INSIGNIFICANT EMISSION UNITS.....</b>	<b>18</b>
<b>PERMIT SHIELD &amp; INAPPLICABLE REQUIREMENTS.....</b>	<b>18</b>
<b>GENERAL CONDITIONS.....</b>	<b>19</b>

**Facility Information**

**Permittee**

Ingenco Wholesale Power, LLC  
2250 Dabney Rd.  
Richmond, VA 23230

**Responsible Official**

Mr. Brad Burmaster, Senior Vice President

**Facility**

Ingenco Dinwiddie Plant  
25505 Weakly Road  
Petersburg, VA 23803

**Contact Person**

Mr. Matthew Weeks  
Associate, Environmental Professional  
Phone: (804) 521-3572

**County-Plant Identification No.:** 51-053-0087

**Facility Description:** NAICS 221112 - The Ingenco Dinwiddie plant is a 11.9 MW power generation facility. The facility operates 34 compression ignition reciprocating internal combustion engines that fire on Nos. 1 and 2 distillate fuel oil, bio-diesel, No. 4 fuel oil or natural gas.

### Emission Units

Equipment to be operated consists of:

Reference No.	Stack Id.	Equipment Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
E1 – E34	S-1 through S-7	Thirty-four Detroit Diesel dual-fuel diesel engines manufactured before 1997, each driving a 350 kW generator; arranged in one group of ten engines in Building D1 and six groups of four engines in Building D2. Building D1 has one exhaust stack, S1, serving group E1-E10. Building D2 has a separate exhaust stack for each group of four engines with S2 serving group E11-E14, etc.	475 HP output and 3.57 MMBtu/hr heat input each engine; total for 34 engines, 121.4 MMBtu/hr heat input.	Passive controls: air-to-fuel ratio control, turbo-charging, custom built after coolers and charge-air cooling systems, engine control modules.		Passive: NO <sub>x</sub> , CO, SO <sub>x</sub> , VOC, PM, PM-10	December 4, 2013

\*The Size/Rated capacity is provided for informational purposes only, and is not an applicable requirement.

**Fuel Burning Equipment Requirements – (Emission Units E1-E34)**

1. **Fuel Burning Equipment Requirements – Limitations** – The minimum height of the Building D1 and Building D2 generator stacks shall be 40 feet and 26 feet above ground level, respectively, for the Detroit Diesel engines (E1-E34). The stacks shall not be lowered for any reason without prior written approval of the Director, Piedmont Region.  
(9 VAC 5-80-110 and Condition 2 of the minor NSR permit dated December 4, 2013)
2. **Fuel Burning Equipment Requirements – Limitations** - Nitrogen oxides emissions from the 34 dual-fuel diesel engines (E1-E34) shall be controlled by the original equipment manufacturers air-to-fuel ratio control, turbo-charging and charge-air cooling systems or a change to the engine control module (ECM). The air-to-fuel ratio shall be controlled by a separate engine control module for each engine.  
(9 VAC 5-80-110 and Condition 3 of the minor NSR permit dated December 4, 2013)
3. **Fuel Burning Equipment Requirements – Limitations** - Nitrogen oxides emissions from the 34 dual-fuel diesel engines (E1-E34) shall also be controlled by supplementary inlet charge-air water-to-air cooling and oversized inlet charge and exhaust ducts. The cooling system shall be capable of maintaining an inlet charge-air temperature, measured at the inlet to the engines, of an average of 150°F for any one hour period of operation. Any change in the location of the temperature indicator may require a permit to modify and operate. Water shall be provided continuously to each engine's inlet charge-air cooler and each engine shall have independent temperature measurement capabilities. The inlet charge-air cooler shall be provided with adequate access for inspection and shall be in operation when any of the 34 dual-fuel diesel engines (E1-E34) are operating.  
(9 VAC 5-80-110 and Condition 4 of the minor NSR permit dated December 4, 2013)
4. **Fuel Burning Equipment Requirements – Limitations** - Nitrogen oxides emissions from the 34 dual-fuel diesel engines (E1-E34) shall be controlled by the combustion of natural gas whenever any of the engines are operated in the dual fuel mode. The extent to which the dual fuel operations control nitrogen oxides emissions is dependent upon the heat substitution rate supplied by the natural gas.  
(9 VAC 5-80-110 and Condition 5 of the minor NSR permit dated December 4, 2013)
5. **Fuel Burning Equipment Requirements – Limitations** - Sulfur Dioxide emissions from the 34 dual-fuel diesel engines (E1-E34) shall be controlled by the combustion of natural gas whenever any of the engines are operated in the dual fuel mode. The extent to which the dual fuel operations control Sulfur Dioxide emissions is dependent upon the heat substitution rate supplied by the natural gas and its low-sulfur content. Sulfur Dioxide emissions from the burning of liquid fuels in the diesel engines shall be controlled by the use of low-sulfur fuels.  
(9 VAC 5-80-110 and Condition 6 of the minor NSR permit dated December 4, 2013)
6. **Fuel Burning Equipment Requirements – Limitations** - Carbon monoxide emissions from the 34 dual-fuel diesel engines (E1-E34) shall be controlled by limiting the ratio of natural gas heat input to total fuel heat input to less than 96% for each period of continuous dual-fuel

operation. This is accomplished by setting the assumed liquid fuel flow in MMBtus to the complement to the assumed gas flow rate in Btus. An increase in the heat input ratio to the 34 dual-fuel diesel engines (E1-E34) to greater than 96% or a change to the engine control module (ECM) may require a permit to modify and operate. The permittee may, with prior approval from the Piedmont Regional Office, operate for short periods at natural gas heat input ratios greater than 96% or a change to the (single) engine control modules (ECM) for the purposes of research and development.

(9 VAC 5-80-110 and Condition 7 of the minor NSR permit dated December 4, 2013)

7. **Fuel Burning Equipment Requirements – Limitations** - Particulate matter and volatile organic compounds emissions from the 34 dual-fuel diesel engines (E1-E34) shall be controlled by proper engine maintenance practices. The engines shall be repaired and maintained to prevent excess emissions of particulate matter (in the form of Particulate Matter (PM) and PM-10) and volatile organic compounds.

(9 VAC 5-80-110 and Condition 8 of the minor NSR permit dated December 4, 2013)

8. **Fuel Burning Equipment Requirements – Limitations** - The approved fuels for the engines (E1-E34) are Nos. 1 and 2 distillate fuel oil, biodiesel, No. 4 fuel oil and natural gas. A change in the fuel may require a permit to modify and operate.

(9 VAC 5-80-110 and Condition 13 of the minor NSR permit dated December 4, 2013)

9. **Fuel Burning Equipment Requirements – Limitations** - The facility shall limit consumption of fuel such that neither the total nitrogen oxides (NO<sub>x</sub>) nor total carbon monoxide (CO) emissions exceed 240 tons, for any consecutive 12-month period. The emissions shall be calculated monthly as the sum of each consecutive 12-month period according to the following equations:

Given:

$$\text{NO}_x = \frac{\left[ \left( \frac{(A \times CV_{\text{liq}}) \times 1 \text{ MMBtu}}{1,000,000 \text{ Btu}} \right) \times \text{ENO}_x(\text{l}) \text{ lb/MMBtu} \right] + \left[ \left( \frac{(B \times CV_{\text{NG}}) \times 1 \text{ MMBtu}}{1,000,000 \text{ Btu}} \right) \times \text{ENO}_x(\text{NG}) \text{ lb/MMBtu} \right]}{2000 \text{ lb/ton}}$$

$$\text{CO} = \frac{\left[ \left( \frac{(A \times CV_{\text{liq}}) \times 1 \text{ MMBtu}}{1,000,000 \text{ Btu}} \right) \times \text{ECO}_x(\text{l}) \text{ lbs/MMBtu} \right] + \left[ \left( \frac{(B \times CV_{\text{NG}}) \times 1 \text{ MMBtu}}{1,000,000 \text{ Btu}} \right) \times \text{ECO}_x(\text{NG}) \text{ lb/MMBtu} \right]}{2000 \text{ lb/ton}}$$

Where:

A = gallons of liquid fuel consumed as distillate oil, biodiesel or No. 4 fuel oil.

B = cubic feet of natural gas consumed.

CV<sub>liq</sub> = calorific value (heat content) in Btu/gallon of the corresponding liquid fuel as distillate oil, bio-diesel or No. 4 fuel oil as specified in Condition 10.



$CV_{NG}$  = calorific value (heat content) in Btu/cubic foot of natural gas as determined by Condition 10.

$ENO_x(l)$  = Emissions factor for  $NO_x$  from liquid fuel as shown in the table below

$ENO_x(ng)$  = Emissions factor for  $NO_x$  from natural gas as shown in the table below.

$ECO(l)$  = Emissions factor for CO from liquid fuel as shown in the table below

$ECO(ng)$  = Emissions factor for CO from landfill gas as shown in the table below.

Emission Factors (lb/MMBtu):

Natural Gas Substitution Range ( $NO_x$ )	$ENO_x(l)$	$ENO_x(ng)$
0%-30%	2.15	- 0.40
31%-80%	1.50	1.50
81%-96%	5.00	0.70
Natural Gas Substitution Range (CO)	$ECO(l)$	$ECO(ng)$
0%-54%	0.26	5.25
55%-96%	5.60	0.80

Such that:

$NO_x \leq 240$  tons/yr calculated as the sum of each consecutive 12-month period as a product of the heat input contribution from each fuel source.

$CO \leq 240$  tons/yr calculated as the sum of each consecutive 12-month period as a product of the heat input contribution from each fuel source.

Each equation is valid only if the total heat input contribution from natural gas ( $HI_{NG}$ ) is not to exceed 96% of the total heat input for any period of continuous dual-fuel operation, expressed as the ratio of natural gas heat input to total fuel heat input (For each period of continuous dual-fuel operation), according to the following equation:

$$HI_{NG} = \frac{B \times CV_{NG}}{(A \times CV_{liq}) + (B \times CV_{NG})} \times 100 \leq 96\%$$

(9 VAC 5-80-110 and Condition 14 of the minor NSR permit dated December 4, 2013)

- 10. Fuel Burning Equipment Requirements – Limitations** - The fuels shall meet the specifications below:

Distillate oils which meet the ASTM D396 specifications for Nos. 1 and 2 fuel oil:

Heat content: 137,000 Btu/gallon \*

Biodiesel oils which meets the ASTM D6751 specifications:

Nominal Heat content: 131,000 BTU/gallon

Residual Oil which meets the ASTM D396 specifications for No. 4 fuel oil:

Maximum sulfur content per shipment: 0.5%  
Heat content: 144,000 BTU/gal\*

Natural Gas:

Heat Content: 1,050 BTU/scf\*

Combined monthly average sulfur content 0.25% or less for all liquid fuels shall be calculated monthly.

\*The heat content of each fuel listed shall be used to calculate the facility's emissions as defined by the emission factors and limits found in Conditions 9, 12 and 36.  
(9 VAC 5-80-110 and Condition 15 of the minor NSR permit dated December 4, 2013)

- 11. Fuel Burning Equipment Requirements – Limitations** - The diesel and biodiesel fuel used by the 34 dual-fuel diesel engines (E1-E34) must meet the requirements in 40 CFR 80.510(b) for nonroad diesel fuel.  
(9 VAC 5-80-110 and 40 CFR §§63.6604 (a))

- 12. Fuel Burning Equipment Requirements – Limitations** - Emissions from the operation of any of the 34 dual-fuel diesel engines (E1-E34) when the facility is operated in either the single fuel or the dual fuel mode shall not exceed the limits specified below:

Particulate Matter	0.3	lb/MMBtu
PM-10	0.3	lb/MMBtu
PM-2.5	0.3	lb/MMBtu
Sulfur Dioxide	0.5	lb/MMBtu
Nitrogen Oxides (as NO <sub>2</sub> )	2.3	lb/MMBtu
Carbon Monoxide	3.0	lb/MMBtu
Volatile Organic Compounds	0.4	lb/MMBtu

Compliance with the lb/MMBtu limits for PM, PM-10, NO<sub>x</sub>, CO, and VOC shall be determined by stack testing. All other emission limits are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition Nos. 2 through 8, 9 and 10.  
(9 VAC 5-80-110 and Condition 17 of the minor NSR permit dated December 4, 2013)

**13. Fuel Burning Equipment Requirements – Limitations** - Visible emissions from the 34 dual-fuel diesel engines (E1-E34) stacks (S1-S7) shall not exceed 10% opacity whenever the engines are operated in a single fuel mode except during one six-minute period in any one hour in which visible emissions shall not exceed 20% opacity. Visible emissions from the 34 dual-fuel diesel engines (E1-E34) stacks (S1-S7) shall not exceed 20% opacity whenever the engines are operated in a dual fuel mode except during one six-minute period in any one hour in which visible emissions shall not exceed 30% opacity. All visible emissions rates shall be determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.

(9 VAC 5-80-110 and Condition 19 of the minor NSR permit dated December 4, 2013)

**14. Fuel Burning Equipment Requirements – Limitations** – The permittee shall comply with the applicable requirements of 40 CFR 63, Subpart ZZZZ, as follows:

- a. Emission limits and operating limitations of 63.6603(a) and Table 2d(2);
- b. General requirements of 63.6605;
- c. Operations requirement of 63.6625(h); and
- d. Continuous compliance with emission limits and operating limitations according to methods specified in Table 6 (9.a. i or ii).

(9 VAC 5-80-110, 40 CFR §§63.6603, 40 CFR §§63.6605, §§63.6625, §§63.6640, and Tables 2d (2) & (6) of 40 CFR 63 Subpart ZZZZ)

**15. Fuel Burning Equipment Requirements – Monitoring** - The facility shall be equipped with devices to continuously measure and record natural gas, distillate oil, biodiesel and No. 4 fuel oil by the engines (E1-E34). Each monitoring device shall be installed, maintained, calibrated and operated in accordance with approved procedures which shall include, at a minimum, the manufacturer's written requirements or recommendations. Each device shall be provided with adequate access for inspection and shall be in operation when the facility is operating.

(9 VAC 5-80-110 and Condition 9 of the minor NSR permit dated December 4, 2013)

**16. Fuel Burning Equipment Requirements – Monitoring** - Each of the 34 dual-fuel diesel engines (E1-E34) shall be equipped with a device to continuously measure engine inlet charge-air temperature. Each device shall be installed, maintained, calibrated and operated in accordance with approved procedures which shall include, at a minimum, the manufacturer's written requirements or recommendations. Each device shall be provided with adequate access for inspection and shall be in operation when the 34 dual-fuel engines are operating.

(9 VAC 5-80-110 and Condition 10 of the minor NSR permit dated December 4, 2013)

**17. Fuel Burning Equipment Requirements – Monitoring** - The oxidation catalyst shall be equipped with devices to continuously measure the differential pressure drop across each

oxidation catalyst. Each monitoring device shall be installed, maintained, calibrated and operated in accordance with approved procedures which shall include, as a minimum, the manufacturer's written requirements or recommendations. Each monitoring device shall be provided with adequate access for inspection and shall be in operation when the control devices are operating  
(9 VAC 5-80-110)

- 18. Fuel Burning Equipment Requirements – Monitoring** -The oxidation catalyst shall be equipped with devices to continuously measure and record the inlet temperature to the catalyst bed at a minimum frequency of once every fifteen minutes during the operation of each engine group. As approved by the Director, Piedmont Regional Office, compliance with this requirement may be achieved by continuously measuring and recording the engine exhaust temperature at the minimum frequency described above and, as confirmation, measuring and recording the inlet temperature to the catalyst bed once per shift. The information shall be correlated to run date, engine load/kilowatt output, and engine operating hours. Each monitoring device shall be installed, maintained, calibrated and operated in accordance with approved procedures which shall include, as a minimum, the manufacturer's written requirements or recommendations. Each monitoring device shall be provided with adequate access for inspection and shall be in operation when the oxidation catalysts are operating.  
(9 VAC 5-80-110)
- 19. Fuel Burning Equipment Requirements – Monitoring** -The monitoring devices used to measure natural gas, distillate oil, biodiesel and No.4 fuel oil consumption shall be observed by the permittee after each period of continuous operation when using any form of liquid fuel and then again once the engines have ceased operation. In addition, when the engines are operated in dual-fuel mode, the monitoring devices shall be read each time natural gas is used at the facility and then again whenever the engines are returned to single fuel operations. The permittee shall keep a daily log of the observations from each of the monitoring devices, to include each set of readings that define each period of dual-fuel operations.  
(9 VAC 5-80-110 and Condition 11 of the minor NSR permit dated December 4, 2013)
- 20. Fuel Burning Equipment Requirements – Monitoring** - The monitoring devices used to measure inlet charge-air temperature shall be observed by the permittee with a frequency of not less than hourly whenever the engines are operating. The permittee shall keep a log of the temperature observations from the monitoring devices including the time the observation was recorded.  
(9 VAC 5-80-110 and Condition 12 of the minor NSR permit dated December 4, 2013)
- 21. Fuel Burning Equipment Requirements – Monitoring** - The monitoring devices used to measure the catalysts shall be observed by the permittee with a frequency of not less than once per shift. The permittee shall keep a log of the observations including the time the observation was recorded, or continuously record measurements from each of the control monitoring devices.  
(9 VAC 5-80-110)

- 22. Fuel Burning Equipment Requirements – Monitoring** - Once per month, the permittee shall conduct an observation of the presence of visible emissions from the operating 34 engines (E1-E34). If visible emissions are observed, the permittee shall take timely corrective action such that the units resume operation with no visible emissions, or perform a visible emissions evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9 to assure visible emissions from any of the 34 engines (E1-E34) does not exceed 10% opacity whenever the engines are operated in a single fuel mode, except during one six-minute period in any one hour in which visible emissions shall not exceed 20% opacity and visible emissions from the 34 dual-fuel diesel engines (E1-E34) stacks (S1-S7) shall not exceed 20% opacity whenever the engines are operated in a dual fuel mode except during one six-minute period in any one hour in which visible emissions shall not exceed 30.0% opacity. The VEE shall be conducted for a minimum of six minutes. If any of the observations exceeds 10% opacity, the VEE shall be conducted for sixty minutes. If compliance is not demonstrated by the VEE, timely corrective action shall be taken such that the operating engines resumes operation that is in compliance with the opacity limit for single or dual fuel mode as appropriate. The facility shall maintain an observation log to demonstrate compliance. The log shall include the date and time of the observation, single or dual fuel operations, whether or not there were visible emissions, any VEE recordings and necessary corrective actions. Upon request by the Department, the permittee shall conduct additional visible emission evaluations from the 34 engines (E1-E34) to demonstrate compliance with the visible emission limits contained in this permit. The details of the tests shall be arranged with the Director, Piedmont Region.  
(9 VAC 5-80-110 and Condition 24 of the minor NSR permit dated December 4, 2013)

- 23. Fuel Burning Equipment Requirements – Recordkeeping** - The permittee shall obtain a certification from the fuel supplier with each shipment of distillate oil, biodiesel and No. 4 fuel oil. Each fuel supplier certification shall include the following:
- a. The name of the fuel supplier;
  - b. The date on which the oil was received;
  - c. The volume of oil delivered in the shipment;
  - d. A statement that the distillate oil complies with the American Society for Testing and Materials specifications ASTM D396 for Nos. 1 or 2 fuel oil and No. 4; and a statement that the biodiesel complies with the American Society for Testing and Materials specifications ASTM D6751;
  - e. The heat value (in Btu/gal) of the biodiesel fuel oil; and
  - f. The sulfur content of the oils.

Fuel sampling and analysis, independent of that used for certification, as may be periodically required or conducted by DEQ may be used to determine compliance with the fuel

specifications stipulated in Condition 10. Exceedance of these specifications may be considered credible evidence of the exceedance of emission limits.

(9 VAC 5-80-110 and Condition 16 of the minor NSR permit dated December 4, 2013)

**24. Fuel Burning Equipment Requirements – Recordkeeping -** The permittee shall maintain records of all emissions data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Piedmont Region. These records shall include, but are not limited to:

- a. Annual and monthly throughput of natural gas, distillate oil, biodiesel and No. 4 fuel oil for each mode of operation (single or dual fuel), calculated monthly as the sum of each consecutive 12-month period;
- b. Daily records of fuel consumption for every period of operation to verify compliance with Condition Nos. 5, 9 and 10;
- c. Hourly records of engine inlet charge-air temperature readings to verify compliance with Condition 3;
- d. All one hour periods of operation during which the charge-air temperature as described in Condition 3 exceeds the average charge-air temperature limit of 150° F, calculated each month;
- e. Monthly and annual emissions (in tons) using calculation methods approved by the Piedmont Regional Office to verify compliance with emission limitations in Conditions 12 and 36. Annual emissions shall be calculated monthly as the sum of each consecutive 12-month period;
- f. Results of all stack tests, visible emissions evaluations, monthly visible emissions evaluations log and performance evaluations;
- g. All fuel supplier certifications;
- h. Monthly calculations of average sulfur content of all liquid fuels combined, including fuel sampling results.
- i. Scheduled and unscheduled maintenance on the engines;
- j. Operating procedures and operator training records for the engines;
- k. Log of observations or records of measurements from the pressure drop monitoring device on each catalysts; and

- l. Operation and control device monitoring records for each engine group equipped with an oxidation catalyst (Ref. Nos. E1-E40). This includes records of the catalyst bed temperatures.

These records shall be available on site for inspection by the Department and shall be current for the most recent five years.

(9 VAC 5-80-110 and Condition 20 of the minor NSR permit dated December 4, 2013)

**25. Fuel Burning Equipment Requirements – Recordkeeping** - The facility shall maintain all records as applicable to the 34 engines (E1-E34) which include the following:

- a. A copy of each notification and report submitted to comply with this subpart, including all submitted documentation supporting any Initial Notification or Notification of Compliance Status, according to the requirement in §63.10(b)(2)(xiv).
- b. Records of the occurrence and duration of each malfunction of operation (i.e. process equipment) or the air pollution control and monitoring equipment.
- c. Records of performance tests and performance evaluations as required in §63.10(b)(2)(viii).
- d. Records of all required maintenance performed on the air pollution control and monitoring equipment.
- e. Records of actions taken during periods of malfunction to minimize emissions in accordance with §63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.
- f. Records demonstrating compliance with the work and management practices required in Condition 14 according to the methods specified in Table 6 (9.a) of 40 CFR 63 Subpart ZZZZ.

(9 VAC 5-80-110 and §63.6655)

**26. Fuel Burning Equipment Requirements – Testing** – A performance test shall be conducted for nitrogen oxides and carbon monoxide from the 34 engines (E1-E34), within 60 days of the Piedmont Regional Office receiving notice of the combustion of Biodiesel and/or No. 4 fuel oil, to determine compliance with the emission limits contained in Conditions 9, 12, and 36. Separate tests shall be performed while operating in single fuel mode using 100% Biodiesel and/or No. 4 fuel oil and in dual fuel mode using at a minimum 20% and 35% quantities of natural gas and balance as Biodiesel and/or No. 4 fuel oil, and also with one point near 80% and one point within 4% of the 96% end point. The tests shall be performed at no less than 80% for single fuel mode and 65% for dual fuel mode of the rated capacity of the electrical output on a minimum of one set of ten engines (D1) or one set of four engines

(D2). The tests shall be performed, and demonstrate compliance within 60 days of the Piedmont Regional Office receiving notice of the combustion of No. 4 fuel oil. The tests shall be conducted and reported and data reduced as set forth in 9 VAC 5-50-30 and the test methods and procedures contained in each applicable section or subpart listed in 9 VAC 5-50-410. The details of the tests are to be arranged with the Director, Piedmont Region. The permittee shall submit a test protocol at least 30 days prior to testing. Two copies of the test results shall be submitted to the Director, Piedmont Region within 60 days after test completion and shall conform to the test report format enclosed with this permit.

(9 VAC 5-80-110 and Condition 21 of the minor NSR permit dated December 4, 2013)

- 27. Fuel Burning Equipment Requirements – Testing** - Concurrently with the performance test as required in Condition 26, Visible Emission Evaluations (VEE) in accordance with 40 CFR Part 60, Appendix A, Method 9, shall also be conducted by the permittee on the following equipment: 34 dual-fuel diesel engines (E1-E34). Each test shall consist of 30 sets of 24 consecutive observations (at 15 second intervals) to yield a six minute average. The details of the tests are to be arranged with the Director, Piedmont Region. The permittee shall submit a test protocol at least 30 days prior to testing. The evaluation shall be performed, and reported and demonstrate compliance within 60 days after achieving the maximum production rate at which the facility will be operated but in no event later than 180 days after start-up of the permitted facility. Should conditions prevent concurrent opacity observations, the Director, Piedmont Region shall be notified in writing, within seven days, and visible emissions testing shall be rescheduled within 30 days. Rescheduled testing shall be conducted under the same conditions as the initial performance tests. Two copies of the test result shall be submitted to the Director, Piedmont Region within 60 days after test completion and shall conform to the test report format enclosed with this permit.
- (9 VAC 5-80-110 and Condition 22 of the minor NSR permit dated December 4, 2013)

- 28. Fuel Burning Equipment Requirements – Testing** - The performance tests required in Condition 26 shall at a minimum be conducted once every five years on all seven stacks and before the operating permit renewal application for nitrogen oxides and carbon monoxide, starting from the completion date of the testing as required in Condition 26. In addition, separate tests on all stacks shall be performed while operating in single fuel mode using 100% liquid fuel and in dual fuel mode using various quantities of natural gas and liquid fuel as described in Condition 26, once combustion of Natural Gas with any other oil has an initial performance test. Each testing cycle shall evaluate the performance of all stacks to ensure the accuracy of the equations in Condition 9. The tests shall be conducted and reported and data reduced as set forth in 9 VAC 5-50-30 and the test methods and procedures contained in each applicable section or subpart listed in 9 VAC 5-50-410. The details of the tests are to be arranged with the Director, Piedmont Region. The permittee shall submit a test protocol at least 30 days prior to testing. Two copies of the test results shall be submitted to the Director, Piedmont Region within 60 days after test completion and shall conform to the test report format enclosed with this permit.
- (9 VAC 5-80-110 and Condition 23 of the minor NSR permit dated December 4, 2013)



- 29. Fuel Burning Equipment Requirements – Testing** – Once per month, the permittee shall conduct an observation of the presence of visible emissions from the operating 34 engines (E1-34). If visible emissions are observed, the permittee shall take timely corrective action such that the units resume operation with no visible emissions, or perform a visible emissions evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9 to assure visible emissions from any of the 34 engines (E1-34) does not exceed 10% opacity whenever the engines are operated in a single fuel mode, except during one six-minute period in any one hour in which visible emissions shall not exceed 20% opacity and visible emissions from the 34 dual-fuel diesel engines (E1-E34) stacks (S1-S7) shall not exceed 20% opacity whenever the engines are operated in a dual fuel mode except during one six-minute period in any one hour in which visible emissions shall not exceed 30.0% opacity. The VEE shall be conducted for a minimum of six minutes. If any of the observation exceeds 10% opacity, the VEE shall be conducted for sixty minutes. If compliance is not demonstrated by the VEE, timely corrective action shall be taken such that the operating engines resumes operation that is in compliance with the opacity limit for single or dual fuel mode as appropriate. The permittee shall maintain an observation log to demonstrate compliance. The log shall include the date and time of the observation, single or dual fuel operations, whether or not there were visible emissions, any VEE recordings and necessary corrective actions. Upon request by the DEQ, the permittee shall conduct additional visible emission evaluations from the 34 engines (E1-34) to demonstrate compliance with the visible emission limits contained in this permit. The details of the tests shall be arranged with the Director, Piedmont Region.  
(9 VAC 5-80-110 and Condition 24 of the minor NSR permit dated December 4, 2013)
- 30. Fuel Burning Equipment Requirements – Testing** – The permitted facility shall be constructed so as to allow for emissions testing and monitoring upon reasonable notice at any time, using appropriate methods. This includes constructing the facility such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and providing stack or duct that is free from cyclonic flow. Test ports shall be provided when requested at the appropriate locations.  
(9 VAC 5-80-110 and Condition 25 of the minor NSR permit dated December 4, 2013)
- 31. Fuel Burning Equipment Requirements – Reporting** - The facility shall furnish written notification to the Director, Piedmont Region:
- a. The actual date on which modification or a change to the engine control module (ECM) of the 34 dual-fuel diesel engines (E1-E34) or six pack or single engine commenced within 30 days after such date. The projected information for items b. and d. may be included in the letter for item a.
  - b. The anticipated start-up date of the modification or a change to the engine control module (ECM) of the 34 dual-fuel diesel engines (E1-E34) or ten pack or six pack or single engine postmarked not more than 60 days or less than 30 days prior to such date.

- c. The actual start-up date of the modification or a change to the engine control module (ECM) of the 34 dual-fuel diesel engines (E1-E34) or ten pack or six pack or single engine within 15 days after such date.
- d. The anticipated start-up date of the modification or a change to the engine control module (ECM) of the 34 dual-fuel diesel engines (E1-E34) or ten pack or six pack or single engine combusting natural gas postmarked not more than 60 days or less than 30 days prior to such date.
- e. The actual date of the modification or a change to the engine control module (ECM) of the 34 dual-fuel diesel engines (E1-E34) initially combusting natural, postmarked within 15 days after such date. The information for items c. and any changes to item b. may be included in the letter for item e. This will allow for the required reports to be completed using two letters instead of five. This notification process is not for research and development testing of one engine prior to commercial power generation using natural gas.

(9 VAC 5-80-110 and Condition 26 of the minor NSR permit dated December 4, 2013)

32. **Fuel Burning Equipment Requirements – Reporting** - The facility shall furnish notification to the Director, Piedmont Region of the date of removal or cessation of operation of the control equipment 30 days prior to such date.

(9 VAC 5-80-110 and Condition 27 of the minor NSR permit dated December 4, 2013)

33. **Fuel Burning Equipment Requirements – Reporting** - The facility shall report each instance that a requirement in Table 2d and Table 8 of 40 CFR 63 Subpart ZZZZ was not met.

(9 VAC 5-80-110 and 40 CFR §§63.6640 (b) & (e))

34. **Fuel Burning Equipment Requirements – Reporting** - The facility shall comply with the applicable requirements of 40 CFR 63, Subpart ZZZZ, as follows:

- a. Notifications in 40 CFR §§63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), 63.9(b-e) and (g) and (h) that apply by the dates specified;
- b. Performance test notification as specified in 40 CFR §§63.6645(g); and
- c. Compliance status notification as specified in 40 CFR §§63.6645(h)

(9 VAC 5-80-110 and 40 CFR §§63.6645)

35. **Fuel Burning Equipment Requirements – Reporting** - The facility shall submit reports as specified in 40 CFR §§63.6650 and Table 7(1) of 40 CFR 63 Subpart ZZZZ.

(9 VAC 5-80-110 and 40 CFR §§63.6650)

**Facility Wide Conditions**

- 36. Facility Wide Conditions – Limitations** - Total emissions from the facility, whether it is operated in the single fuel or the dual fuel mode, shall not exceed the limits specified below, calculated monthly as the sum of each consecutive 12-month period:

Particulate Matter	36.4 lb/hour	72.6 tons/year
PM-10	36.4 lb/hour	72.6 tons/year
PM-2.5	36.4 lb/hour	72.6 tons/year
Sulfur Dioxide	61.3 lb/hour	28.1 tons/year
Nitrogen Oxides (as NO <sub>2</sub> )	279.2 lb/hour	240.0 tons/year
Carbon Monoxide	359.3 lb/hour	240.0 tons/year
Volatile Organic Compounds	48.6 lb/hour	96.8 tons/year

Compliance with the lb/hr limits may be determined by additional stack testing or other appropriate means upon request of the Department. All other emissions limits are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition Nos. 2 through 7, 9 and 10.

(9 VAC 5-80-110 and Condition 18 of the minor NSR permit dated December 4, 2013)

- 37. Facility Wide Conditions – Limitations** - The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to air pollution control equipment, monitoring devices, and process equipment which affect such emissions:

- a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.
- b. Maintain an inventory of spare parts.
- c. Have available written operating procedures for equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum.
- d. Train operators in the proper operation of all such equipment and familiarize the operators with the written operating procedures. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.

Records of maintenance and training shall be maintained on site for a period of five years and shall be made available to DEQ personnel upon request.

(9 VAC 5-80-110 and Condition 32 of the minor NSR permit dated December 4, 2013)

### Insignificant Emission Units

38. **Insignificant Emission Units** - The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

<b>Emission Unit No.</b>	<b>Emission Unit Description</b>	<b>Citation</b>	<b>Pollutant(s) Emitted (9 VAC 5-80-720 B)</b>	<b>Rated Capacity (9 VAC 5-80-720 C)</b>
T-1	Fuel oil storage tank	5-80-720 B.	VOC	11,000 gallons
T-2	Fuel oil storage tank	5-80-720 B.	VOC	11,000 gallons
T-3	Fuel oil storage tank	5-80-720 B.	VOC	17,000 gallons
T-4	Fuel oil storage tank	5-80-720 B.	VOC	17,000 gallons
T-5	Fuel oil storage tank	5-80-720 B.	VOC	15,000 gallons
T-6	Fuel oil storage tank	5-80-720 B.	VOC	15,000 gallons
T-7	Fuel oil storage tank	5-80-720 B.	VOC	15,000 gallons
T-8	Fuel oil storage tank	5-80-720 B.	VOC	16,000 gallons
D2	Natural Gas Fired Boiler	5-80-720 C.2	PM, PM-10, CO, NO <sub>x</sub> , SO <sub>2</sub> , and VOC	0.15 MMBtu/hr

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

### Permit Shield & Inapplicable Requirements

39. **Permit Shield & Inapplicable Requirements** - Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

<b>Citation</b>	<b>Title of Citation</b>	<b>Description of Applicability</b>
40 CFR 63, Subpart JJJJJ	National Emission Standards for Hazardous Air Pollutants Standards for Industrial, Commercial, & Institutional Boilers at Area Sources	This Subpart is not applicable to the boiler because it is a gas-fired boiler (40 CFR 63.11195(e)) as defined by the Subpart.
40 CFR Part 98	Mandatory Reporting of Greenhouse Gases	The facility is not applicable because the facility CO <sub>2</sub> e emissions are less than 25,000 metric tons.

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.

(9 VAC 5-80-140)

### **General Conditions**

40. **General Conditions – Federal Enforceability** - All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.

(9 VAC 5-80-110)

41. **General Conditions – Permit Expiration** - This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9 VAC 5-80-80, the right of the facility to operate shall be terminated upon permit expiration.

(9 VAC 5-80-80, 9 VAC 5-80-110 and 9 VAC 5-80-170)

42. **General Conditions – Permit Expiration** - The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.

(9 VAC 5-80-80, 9 VAC 5-80-110 and 9 VAC 5-80-170)

43. **General Conditions – Permit Expiration** - If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-150.

(9 VAC 5-80-80, 9 VAC 5-80-110 and 9 VAC 5-80-170)

44. **General Conditions – Permit Expiration** - No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9 VAC 5 Chapter 80.

(9 VAC 5-80-80, 9 VAC 5-80-110 and 9 VAC 5-80-170)

45. **General Conditions – Permit Expiration** - If an applicant submits a timely and complete application under section 9 VAC 5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to

9 VAC 5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.

(9 VAC 5-80-80, 9 VAC 5-80-110 and 9 VAC 5-80-170)

46. **General Conditions – Permit Expiration** - The protection under subsections F.1 and F.5 (ii) of section 9 VAC 5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9 VAC 5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.

(9 VAC 5-80-80, 9 VAC 5-80-110 and 9 VAC 5-80-170)

47. **General Conditions – Recordkeeping and Reporting** - All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:

- a. The date, place as defined in the permit, and time of sampling or measurements.
- b. The date(s) analyses were performed.
- c. The company or entity that performed the analyses.
- d. The analytical techniques or methods used.
- e. The results of such analyses.
- f. The operating conditions existing at the time of sampling or measurement.

(9 VAC 5-80-110)

48. **General Conditions – Recordkeeping and Reporting** - Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

(9 VAC 5-80-110)

49. **General Conditions – Recordkeeping and Reporting** - The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than March 1 and September 1 of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

- a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31; and

- b. All deviations from permit requirements. For purpose of this permit, deviations include, but are not limited to:

- (1) Exceedance of emissions limitations or operational restrictions;
- (2) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or Compliance Assurance Monitoring (CAM) which indicates an exceedance of emission limitations or operational restrictions; or,
- (3) Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.

- c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that “no deviations from permit requirements occurred during this semi-annual reporting period.”

(9 VAC 5-80-110)

**50. General Conditions – Annual Compliance Certification** - Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and the Department no later than March 1 each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices for the period ending December 31. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. The permittee shall maintain a copy of the certification for five (5) years after submittal of the certification. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

- a. The time period included in the certification. The time period to be addressed is January 1 to December 31;
- b. The identification of each term or condition of the permit that is the basis of the certification;
- c. The compliance status;
- d. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance;
- e. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period;
- f. Such other facts as the permit may require to determine the compliance status of the source; and

- g. One copy of the annual compliance certification shall be submitted to EPA in electronic format only. The certification document should be sent to the following electronic mailing address:

R3\_APD\_Permits@epa.gov

(9 VAC 5-80-110)

51. **General Conditions - Permit Deviation Reporting** - The permittee shall notify the Director, Piedmont Regional Office within four daytime business hours after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition 49 of this permit.

(9 VAC 5-80-110 F.2)

52. **General Conditions - Failure/Malfunction Reporting** - In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall no later than four daytime business hours after the malfunction is discovered, notify the Piedmont Regional Office such failure or malfunction and within 14 days provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9VAC5-40-50 C and 9VAC5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9VAC5-40-40 and 9VAC5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Piedmont Regional Office.

(9 VAC 5-80-110 and 9 VAC 5-20-180)

53. **General Conditions - Severability** - The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.

(9 VAC 5-80-110)

54. **General Conditions - Duty to Comply** - The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is ground for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.

(9 VAC 5-80-110)



55. **General Conditions - Need to Halt or Reduce Activity not a Defense** - It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.  
(9 VAC 5-80-110)
56. **General Conditions - Permit Modification** - A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9 VAC 5-80-50, 9 VAC 5-80-1100, 9 VAC 5-80-1605, or 9 VAC 5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.  
(9 VAC 5-80-110, 9 VAC 5-80-190 and 9 VAC 5-80-260)
57. **General Conditions - Property Rights** - The permit does not convey any property rights of any sort, or any exclusive privilege.  
(9 VAC 5-80-110)
58. **General Conditions - Duty to Submit Information** - The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.  
(9 VAC 5-80-110)
59. **General Conditions - Duty to Submit Information** - Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.  
(9 VAC 5-80-110)
60. **General Conditions - Duty to Pay Permit Fees** - The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-300 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-350 in addition to an annual permit maintenance fee consistent with the requirements of 9 VAC 5-80-2310 through 9 VAC 5-80-2350. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by April 15 of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department. The amount of the annual permit maintenance fee shall be the largest applicable base permit maintenance fee amount from Table 8-11A in 9 VAC 5-80-2340, adjusted annually by the change in the Consumer Price Index.  
(9 VAC 5-80-110, 9 VAC 5-80-340, and 9 VAC 5-80-2340)

61. **General Conditions - Fugitive Dust Emission Standards** - During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:
- a. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
  - b. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
  - c. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or similar operations;
  - d. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
  - e. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.
- (9 VAC 5-80-110 and 9 VAC 5-50-90)
62. **General Conditions - Startup, Shutdown, and Malfunction** -At all times, including periods of startup, shutdown, and soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
- (9 VAC 5-80-110 and 9 VAC 5-50-20 E)
63. **General Conditions - Alternative Operating Scenarios** - Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1.
- (9 VAC 5-80-110)

**64. General Conditions - Inspection and Entry Requirements** - The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

- a. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
- b. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
- c. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
- d. Sample or monitor at reasonable times' substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110)

**65. General Conditions - Reopening For Cause** - The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F. The conditions for reopening a permit are as follows:

- a. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- b. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
- c. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110)

**66. General Conditions - Permit Availability** - Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.

(9 VAC 5-80-110 and 9 VAC 5-80-150)

67. **General Conditions - Transfer of Permits** - No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.  
(9 VAC 5-80-110 and 9 VAC 5-80-160)
68. **General Conditions - Transfer of Permits** - In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.  
(9 VAC 5-80-110 and 9 VAC 5-80-160)
69. **General Conditions - Transfer of Permits** -In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.  
(9 VAC 5-80-110 and 9 VAC 5-80-160)
70. **General Conditions - Permit Revocation or Termination for Cause** - A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe any permit for any grounds for revocation or termination or for any other violations of these regulations.  
(9 VAC 5-80-110, 9 VAC 5-80-190 C and 9 VAC 5-80-260)
71. **General Conditions - Duty to Supplement or Correct Application** - Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.  
(9 VAC 5-80-110 and 9 VAC 5-80-80 E)
72. **General Conditions - Stratospheric Ozone Protection** - If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.  
(9 VAC 5-80-110 and 40 CFR Part 82)

73. **General Conditions - Asbestos Requirements** - The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following: Standards for Demolition and Renovation (40 CFR 61.145), Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150). (9 VAC 5-60-70 and 9 VAC 5-80-110)
74. **General Conditions - Accidental Release Prevention** - If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68. (9 VAC 5-80-110 and 40 CFR Part 68)
75. **General Conditions - Changes to Permits for Emissions Trading** - No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit. (9 VAC 5-80-110)
76. **General Conditions - Emissions Trading** - Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:
- a. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.
  - b. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
  - c. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300. (9 VAC 5-80-110)